

(2) Where the period for which interest is owed is more than one year, interest for the first year shall be calculated in accordance with paragraph (1) and interest for each additional year shall be calculated on the combined amount of the principal (the amount by which the award of compensation exceeds the deposit referred to in section 258a of this title) and accrued interest at an annual rate equal to the coupon issue yield equivalent (as determined by the Secretary of the Treasury) of the average accepted auction price for the last auction of 52 week United States Treasury bills settled immediately before the beginning of each additional year.

The Director of the Administrative Office of the United States Courts shall distribute to all Federal courts notice of the rates described in paragraphs (1) and (2).

(Feb. 26, 1931, ch. 307, §6, as added Pub. L. 99-656, §1(2), Nov. 14, 1986, 100 Stat. 3668.)

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 258a of this title; title 10 section 7422; title 16 section 831c; title 25 section 500a; title 33 section 598; title 39 section 410; title 42 sections 1502, 1594a, 2222.

§ 258f. Exclusion of certain property by stipulation of Attorney General

In any condemnation proceeding instituted by or on behalf of the United States, the Attorney General is authorized to stipulate or agree in behalf of the United States to exclude any property or any part thereof, or any interest therein, that may have been, or may be, taken by or on behalf of the United States by declaration of taking or otherwise.

(Oct. 21, 1942, ch. 618, 56 Stat. 797.)

§§ 259, 260. Repealed. Pub. L. 86-249, § 17(7), (12), Sept. 9, 1959, 73 Stat. 484, 485

Section 259, R.S. §3734; act June 25, 1910, ch. 383, §33, 36 Stat. 699, prescribed a limitation on the cost of sites for public buildings.

Section 260, act Mar. 2, 1889, ch. 411, 25 Stat. 941, prohibited payment of commissions for disbursements on account of sites for public buildings, and prescribed the manner of making payments for sites for public buildings under the control of the Treasury Department. See section 601 et seq. of this title.

SAVINGS PROVISION

Sections repealed except as to their application to any project referred to in section 613 of this title, see section 17 of Pub. L. 86-249, set out as a note under section 341 of this title.

§ 261. Contracts authorized within limit of cost fixed, though appropriations are in part only

On and after May 30, 1908, in all cases where appropriations are made in part only for carrying into effect the provisions of legislation authorizing the acquisition of land for sites or for the enlargement of sites for public buildings, or for the erection or remodeling, extension, alteration, and repairs of public buildings, the Administrator of General Services unless otherwise specifically directed, may enter into contracts within the full limit of cost fixed by Congress therefor.

(May 30, 1908, ch. 228, §34, 35 Stat. 545; 1939 Reorg. Plan No. I, §303(b), eff. July 1, 1939, 4 F.R. 2729, 53 Stat. 1427; June 30, 1949, ch. 288, title I, §103(a), 63 Stat. 380.)

TRANSFER OF FUNCTIONS

Functions of Federal Works Agency and of all agencies thereof, including Public Buildings Administration together with functions of Federal Works Administrator transferred to Administrator of General Services by section 103(a) of act June 30, 1949, which is classified to section 753(a) of this title. Federal Works Agency (including the Public Buildings Administration) and office of Federal Works Administrator abolished by section 103(b) of act June 30, 1949.

Functions of Secretary of the Treasury relating to Administration of Public Buildings Branch of former Procurement Division of Treasury Department and to selection of location and sites for public buildings transferred to Federal Works Administrator by Reorg. Plan No. 1 of 1939.

EFFECTIVE DATE OF TRANSFER OF FUNCTIONS

Transfer of functions by act June 30, 1949, ch. 288, 63 Stat. 380, effective July 1, 1949, see section 605 of act June 30, 1949, set out as an Effective Date note under section 471 of this title.

CROSS REFERENCES

Appropriations, expenditures or contract obligations in excess of funds prohibited, see section 1341 of Title 31, Money and Finance.

Contracts for erection, repair, or furnishing of public buildings or for public improvements forbidden to exceed amount appropriated for that purpose, see section 12 of Title 41, Public Contracts.

No appropriation act to be construed as authorizing execution of contract for amount in excess of appropriations unless appropriation act in specific terms declares that contract may be made, see section 1301 of Title 31, Money and Finance.

Officer or employee contracting beyond specific appropriation, see section 435 of Title 18, Crimes and Criminal Procedure.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 16 sections 79g, 460bb-2.

§§ 262 to 265. Repealed. Pub. L. 86-249, § 17(8)-(11), Sept. 9, 1959, 73 Stat. 484, 485

Section 262, acts Mar. 4, 1909, ch. 299, 35 Stat. 959; May 29, 1928, ch. 901, §1(18), 45 Stat. 987, permitted rental of buildings on lands acquired for sites.

Section 263, act Aug. 7, 1882, ch. 433, 22 Stat. 305, provided that acts passed authorizing purchase of sites and erection of public buildings thereon shall not be held or construed to appropriate money unless the acts in express language make such appropriations.

Section 264, act Mar. 4, 1913, ch. 147, §5, 37 Stat. 879, placed restrictions on authorizations for construction of post offices.

Section 265, acts June 25, 1910, ch. 383, §35, 36 Stat. 699; June 15, 1938, ch. 382, 52 Stat. 683, related to construction of buildings for executive departments or establishments. See section 601 et seq. of this title.

SAVINGS PROVISION

Sections repealed except as to their application to any project referred to in section 613 of this title, see section 17 of Pub. L. 86-249, set out as a note under section 341 of this title.

§ 265a. Omitted

CODIFICATION

Section, acts June 26, 1943, ch. 145, title I, 57 Stat. 178; June 27, 1944, ch. 286, title I, 58 Stat. 369; May 3, 1945,

ch. 106, title I, 59 Stat. 115; Mar. 28, 1946, ch. 113, title I, 60 Stat. 67, which related to availability of funds for payment of salaries, etc., in connection with construction projects, was not repeated in subsequent appropriation acts and expired with the appropriation acts of which it was a part.

§ 266. Repealed. Oct. 31, 1951, ch. 654, § 1(90), 65 Stat. 705

Section, act Mar. 3, 1903, ch. 1007, 32 Stat. 1091, related to purchase of, and payment for, specially prepared paper for duplication of plans, and payment for other incidental expenses and supplies, in connection with carrying into effect appropriations for public buildings.

§ 267. Repealed. Pub. L. 86-249, § 17(12), Sept. 9, 1959, 73 Stat. 485

Section, R.S. § 3734; act June 25, 1910, ch. 383, § 33, 36 Stat. 699, prohibited expenditures upon public buildings until after approval of sketch plans. See section 601 et seq. of this title.

SAVINGS PROVISION

Section repealed except as to its application to any project referred to in section 613 of this title, see section 17 of Pub. L. 86-249, set out as a note under section 341 of this title.

§ 267a. Omitted

CODIFICATION

Section, act June 30, 1932, ch. 314, § 320, 47 Stat. 412, provided for a 10 per centum reduction of limit of cost fixed by authorizations for construction of public buildings and public improvements granted by law prior to June 30, 1932.

§ 268. Repealed. Pub. L. 86-249, § 17(7), Sept. 9, 1959, 73 Stat. 484

Section, act Mar. 2, 1889, ch. 411, 25 Stat. 941, prohibited approval of plans for public buildings until after site therefor shall have been finally selected. See section 601 et seq. of this title.

SAVINGS PROVISION

Section repealed except as to its applications to any project referred to in section 613 of this title, see section 17 of Pub. L. 86-249, set out as a note under section 341 of this title.

§ 269. Repealed. Oct. 31, 1951, ch. 654, § 1(91), 65 Stat. 705

Section, act June 6, 1902, ch. 1036, § 21, 32 Stat. 326, related to liquidated damages for delay in connection with contracts for construction or repair of public buildings or works, and to suits thereon. See section 256a of Title 41, Public Contracts.

§ 269a. Omitted

CODIFICATION

Section, acts Sept. 9, 1940, ch. 717, title I, 54 Stat. 873; Oct. 8, 1940, ch. 756, title I, 54 Stat. 968; June 30, 1941, ch. 262, 55 Stat. 375, which limited, after Sept. 9, 1940, the contractor's fee for construction and installation of buildings, etc., at military posts, to 6 per centum of the estimated cost, exclusive of the fee, has not been repeated in subsequent years, except as a temporary measure and expired with the appropriation acts of which it was a part.

§ 270. Repealed. Aug. 24, 1935, ch. 642, § 5, 49 Stat. 794

Section, acts Aug. 13, 1894, ch. 280, 28 Stat. 278; Feb. 24, 1905, ch. 778, 33 Stat. 811; Mar. 3, 1911, ch. 231, § 291,

36 Stat. 1167, related to bonds of contractors for buildings or works. See sections 270a to 270d-1 of this title.

The repealing section provided that section should remain in force with respect to contracts for which invitations for bids had been issued on or before sixty days after August 24, 1935, and to persons and bonds in respect of such contracts.

§ 270a. Bonds of contractors of public buildings or works

(a) Type of bonds required

Before any contract for the construction, alteration, or repair of any public building or public work of the United States is awarded to any person, such person shall furnish to the United States the following bonds, which shall become binding upon the award of the contract to such person, who is hereinafter designated as "contractor":

(1) A performance bond with a surety or sureties satisfactory to the officer awarding such contract, and in such amount as he shall deem adequate, for the protection of the United States.

(2) A payment bond with a surety or sureties satisfactory to such officer for the protection of all persons supplying labor and material in the prosecution of the work provided for in said contract for the use of each such person. The amount of the payment bond shall be equal to the total amount payable by the terms of the contract unless the contracting officer awarding the contract makes a written determination supported by specific findings that a payment bond in that amount is impractical, in which case the amount of the payment bond shall be set by the contracting officer. In no case shall the amount of the payment bond be less than the amount of the performance bond.

(b) Waiver of bonds for contracts performed in foreign countries

The contracting officer in respect of any contract is authorized to waive the requirement of a performance bond and payment bond for so much of the work under such contract as is to be performed in a foreign country if he finds that it is impracticable for the contractor to furnish such bonds.

(c) Authority to require additional bonds

Nothing in this section shall be construed to limit the authority of any contracting officer to require a performance bond or other security in addition to those, or in cases other than the cases specified in subsection (a) of this section.

(d) Coverage for taxes in performance bond

Every performance bond required under this section shall specifically provide coverage for taxes imposed by the United States which are collected, deducted, or withheld from wages paid by the contractor in carrying out the contract with respect to which such bond is furnished. However, the United States shall give the surety or sureties on such bond written notice, with respect to any such unpaid taxes attributable to any period, within ninety days after the date when such contractor files a return for such period, except that no such notice shall be given more than one hundred and eighty days from the